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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/595,641	05/02/2006	Goran Eneroth	P18953-US1	3925
27045	7590	01/05/2009	EXAMINER	
ERICSSON INC. 6300 LEGACY DRIVE M/S EVR 1-C-11 PLANO, TX 75024			CHOI, EUNSOOK	
			ART UNIT	PAPER NUMBER
			2419	
			MAIL DATE	DELIVERY MODE
			01/05/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/595,641	Applicant(s) ENEROTH ET AL.	
	Examiner EUNSOOK CHOI	Art Unit 2419	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 May 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 24-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 24-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 May 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>5/2/2006</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claims 28-32 are objected to because of the following informalities: Claim 28 needs a transitional phrase to transit from a preamble to a body of a claim, e.g., “comprising” or “consisting of”. Appropriate correction is required.

Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claims 28-32 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claim 28 recites “A telecommunications group call service” directed to non-statutory subject matter.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 25, 29, and 34 recite the limitation “the floor control message”. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 24, 25, 28, 29, 33, and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shtivelman et al. (US 6263066) Keller et al. (US 7,366,780).

Regarding claims 24, 28, and 33, Shtivelman teaches a queue (**Fig. 2 36-Prioritized Multimedia queue**) wherein the server (**Fig. 2, Multimedia server 27**) queues the floor request (**Col. 11 Lines 20-24, communication request from clients**) from the requesting user equipment (**Fig. 2, clients 1-7**); and a floor request handler (**Fig. 2 Multimedia-to-CTI adapter 26 and Col. 8 Lines 34-36 Multimedia-to-CTI adapter 26 prioritizes the message for placement in queue 36 according to preset rules**) prioritizes the floor request within the queue based on the media type (**Col. 10 Lines 3-4, the records are prioritized according to media type**). However, Shtivelman teaches Multimedia server instead of a group call service server. Shtivelman teaches **Col. 5 Lines 26-29 live callers in queue may receive timely response from a best-matched service agent** which is a group call service to a group of two. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have a group call service server in Shtivelman in order to more effectively use telephones for business and marketing purposes (Col. 1 Lines 34-35, Shtivelman).

8. Claims 25-27, 29-32, and 34-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shtivelman et al. (US 6263066) as applied to claims 24, 28, and 33 and in view of Keller et al. (US 7,366,780).

Regarding claims 26, 30, and 35, however, Shtivelman does not teach the group call service is Push-to-Talk over Cellular (PoC) and the group call service server

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comprises a PoC server. Keller teaches in **Fig. 1 and Col. 2 Lines 10-37 push-to-talk server performed over shared wire-line and wireless links, PTT server 102**. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have the group call service is Push-to-Talk over Cellular (PoC) and the group call service server comprises a PoC server in order to implement a call control architecture in accordance with a server-centric architecture (Col. 2 Lines 8-9 Keller).

Regarding claims 25, 29, and 34, Shtivelman does not teach the group call service server handles the floor request independently of application used to convey the floor control messages. Keller teaches in **Col. 4 Lines 31-38 each of the layers can be modified independently of the other layers. For instance, the session signaling layer 304 could be changed without affecting the other layers, if use of a different call control protocol is desired**. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have the group call service server handles the floor request independently of application used to convey the floor control messages in order to implement a call control architecture in accordance with a server-centric architecture (Col. 2 Lines 8-9 Keller).

Regarding claims 27, 32, and 37, however, Shtivelman does not teach while the requesting user equipment receives a first service, a second media service which is associated with the request can be uploaded to the group call service server. Keller teaches in **Col. 18 Lines 23-24 the group entity might detect that the endpoint is incapable of affiliating with a group. In this case the group entity may automatically affiliate the endpoint** (a first service) and in **Col. 18 Lines 37-51 the**

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media manager will preferably generate floor requests to the floor controller when voice is sourced by the non-dispatch terminal and cause the endpoint to direct its media to the media manager, which would be preferably configured to bridge unicast and multicast media streams (a second media service). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have while the requesting user equipment receives a first service, a second media service which is associated with the request can be uploaded to the group call service server in order to implement a call control architecture in accordance with a server-centric architecture (Col. 2 Lines 8-9 Keller).

Regarding claims 31 and 36, however, Shtivelman does not teach a floor request message which includes an indication of the media type associated with the floor request and/or an indication of message size. Keller teaches in **Col. 16 Lines 37-51 the "m=" field of an SDP packet identifies a media type to be used within the session.** It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have a floor request message which includes an indication of the media type associated with the floor request and/or an indication of message size in order to implement a call control architecture in accordance with a server-centric architecture (Col. 2 Lines 8-9 Keller).

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to EUNSOOK CHOI whose telephone number is (571)270-1822. The examiner can normally be reached on Monday-Friday 8:00-5:00 EST.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wing Chan can be reached on 571-272-7493. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

EC
12/30/2008

/Edan Orgad/
Supervisory Patent Examiner, Art Unit 2419